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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/516,985	12/06/2004	Toshihisa Kojima	SONYJP 33-1010	1378
530 7590 06/22/2007 LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			EXAMINER ROY, SIKHA	
			ART UNIT 2879	PAPER NUMBER
			MAIL DATE 06/22/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/516,985

Applicant(s)

KOJIMA, TOSHIHISA

Examiner

Sikha Roy

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 December 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

The Preliminary Amendment, filed on December 6, 2004 has been entered and acknowledged by the Examiner.

#### ***Information Disclosure Statement***

The references cited in the Search Report 12/6/04 have been considered, but will not be listed on any patent resulting from this application because they were not provided on a separate list in compliance with 37 CFR 1.98(a)(1). In order to have the references printed on such resulting patent, a separate listing, preferably on a PTO/SB/08A and 08B form, must be filed within the set period for reply to this Office action.

#### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the 'circularly polarizing filter layer includes a combination of a linear polarizer positioned on a front side thereof to which the outside light is applied and a  $\frac{1}{4}$  phase difference plate positioned on a rear side' as claimed in claims 4 and 11 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Figures 4 and 5 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 7-11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 11242933 to Saegusa., and further in view of U.S. Patent 6,630,789 to Hirota et al.

Regarding claim 1 Saegusa discloses (Figs. 1,2 English translation para [0008]-[0013]) an optical filter disposed in front of a screen 1 comprising a circularly polarizing filter 20 for converting outside light into circularly polarized light and limiting passage of circularly polarized light reflected by the screen having direction of polarization inverted.

Segusa does not exemplify the filter comprising a substrate.

Hirota in same field of endeavor discloses (Fig. 5 column 5 lines 27-38) an optical filter for a plasma display panel comprising a substrate (protection plate) 1 the front surface having the filter is formed. Hirota teaches that this configuration with a substrate supporting the filter protects the surface of the display panel and also increases the strength of the overall PDP device.

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to form the optical filter of Saegusa on a supporting substrate as taught by Hirota for protecting the surface of the display panel and also increasing the strength of the overall PDP device.

Regarding claim 2 Hirota discloses (Fig. 5 column 6 lines 49-55) the substrate with the optical filter is spaced a predetermined distance (clearance distance) from the screen for relaxing static transfer and reducing heat transfer from the display panel.

Regarding claim 3 Saegusa discloses (Fig.1) the screen includes a plasma display panel.

Regarding claim 4 Saegusa discloses (Figs. 2,3 abstract) the circularly polarizing filter layer includes a combination of a linear polarizer with plane 21 positioned on the front side where outside light is incident on and a  $\frac{1}{4}$  phase difference plate with surface 22 positioned on a rear side of the linear polarizer.

Regarding claim 7 Saegusa discloses the screen is the display screen for a plasma display panel and hence is a self-emission screen.

Claim 8 essentially recites the same limitation as of claim 1 for an image display device and hence is rejected for the same reason. Saegusa discloses the optical filter disposed in front of the screen of a plasma display panel, plasma display being an image display apparatus.

Claims 9-11 and 14 essentially recite the same limitations as of claims 2-4 and 7 respectively and hence are rejected for the same reasons.

Claims 5, 6 and 12,13 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 11242933 to Saegusa , U.S. Patent 6,630,789 to Hirota et al. and further in view of Applicant's admitted prior art (AAPA).

Regarding claim 5 Saegusa and Hirota disclose the substrate is a glass substrate but does not exemplify the circularly polarizing filter bonded to the glass substrate by an adhesive layer.

AAPA discloses (Fig. 5) an adhesive layer 'e' bonding the film 'd' to the glass substrate.

Therefore it would have been obvious to one skilled in the art at the time the invention was made to include an adhesive layer as disclosed by AAPA between the circularly polarizing filter of Saegusa and Hirota for bonding the filter to the glass substrate.

Regarding claim 6 Saegusa does not disclose the optical filter further comprising an anti-reflection film disposed on the front side of the filter.

AAPA discloses (Fig.5 page 2 lines 7-21) an antireflection film 'd' arranged on the front side of the filter for lowering the reflectance of outside light.

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to include an antireflection film disposed on the front the side of the circularly polarizing filter of Saegusa as suggested by AAPA for lowering the reflectance of outside light.

Claims 12 and 13 essentially recite the same limitations of claims 5,6 respectively and hence are rejected for the same reasons.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent 6,686,896 to Oishi et al. discloses a plasma display panel with optical filter. U.S. Patent Application Publication 20030012936 to Draheim et al. discloses (para [021]) an optical filter comprising antireflection film and a circular polarizer including a linear polarizer and a quarter waveplate.

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**Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sikha Roy whose telephone number is (571) 272-2463. The examiner can normally be reached on Monday-Friday 8:00 a.m. – 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*Sikha Roy*

Sikha Roy  
Primary Examiner  
Art Unit 2879